

Remarks

Reconsideration of this Application is respectfully requested.

Claims 2 and 6-26 are pending in the application, with claims 9, 14, 15, 16, 21 and 26 being the independent claims. Claim 13 has been amended to correct a minor typographical error. Claims 16-26 are new claims. Claim 1 has been cancelled. Claims 2, 6 - 8, 9, 13, 14 and 15 have been amended. Claims 2 and 6-8 have been amended merely to change the dependency from cancelled claim 1 to new claim 26. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the foregoing amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

First paragraph

On page 2 of the Office Action, the Examiner rejected claims 1, 2 and 6-15 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

Applicants note that claim 1 was cancelled above and that claim 2 and 6-8 were amended to depend from new claim 26. Thus Applicants traverse the rejection (and other rejections herein) as if it applied to claim 26.

The Examiner, refers to the following claim portion: "reviewing an automatic channel form that was pre-populated with at least a URL of said second Web page or object/resource, said URL having been determined via interaction with a browser", and more specifically to the claim portion "automatic channel form." Applicants assert that this claim portion is described in the specification in such a way as to reasonable convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. For example, pages 54 and 55 of the specification provide such a description.

For example, page 55, lines 8-11, of the specification states "a script in the automatic channel Web page queries the browser for the URL of the previous Web site and automatically populates an automatic channel form for the Web site to be added to the user's list of channels". Thus, as described in the specification, an "automatic channel form" is a form for a Web site (e.g., the previous Web site having been viewed by a browser) that is to be added to a user's list of channels. Page 55, lines 12-18, of the specification provides example fields for an example automatic channel form, stating "[t]he automatic channel form contains fields identifying the title and URL of the Web

site, the maximum channel size, the link depth, whether images are to be included, whether to follow off-site links, when to refresh, etc." Fields of the automatic channel form can be automatically filled in. For example, the specification portion mentioned above (page 55, lines 8-11) states that a script "automatically populates" the automatic channel form. Furthermore, on page 55, lines 16-18, the specification states that "the user reviews the channel settings that were automatically generated, and, if satisfied, selects the save channel button to save the channel settings".

Applicants assert that in light of at least these portions of the present application, the claim portion "reviewing an automatic channel form that was pre-populated with at least a URL of said second Web page or object/resource, said URL having been determined via interaction with a browser", and more specifically, the claim portion "automatic channel form" is sufficiently described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants therefore respectfully request the Examiner to withdraw this rejection of claims 2, 6-15, and 26.

Second paragraph

On page 3 of the Office Action, the Examiner rejected claims 1, 9 and 13-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants respectfully traverse this rejection.

As stated in M.P.E.P. § 2173.02:

Definiteness of claim language must be analyzed,
not in a vacuum, but in light of:

- (A) *The content of the particular application disclosure;*
- (B) The teachings of the prior art; and
- (C) The claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made.

(emphasis added). Thus, the content of the particular application disclosure must be taken into account when analyzing claims for definiteness. Applicants assert that in light of at least the portions of the specification and drawings cited above, the claim portion "reviewing an automatic channel form that was pre-populated with at least a URL of said second Web page, said URL having been determined via interaction with a browser", and more specifically "automatic channel form" is definite, particularly pointing out and distinctly claiming the subject matter which Applicants regard as the invention. Thus, Applicants assert that claims 26, 9, and 13-15 are definite, and therefore respectfully request the Examiner to withdraw the rejection of claims 26, 9 and 13-15.

Rejections under 35 U.S.C. § 102

Claims 1, 7 - 9 and 12 - 15

On page 3 of the Office Action, the Examiner rejected claims 1, 7 - 9 and 13-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,279,448 to Sugiarto *et al.* (hereinafter Sugiarto) (Applicants have treated the rejection as including a rejection of claim 12). For the reasons set forth below, Applicants respectfully traverse this rejection.

Significant technical differences exist between Sugiarto and the claimed embodiments of the present invention. Sugiarto relates to a method for designating and retrieving information over the Internet, where a webpage is accessed and individual portions of the web page are designated and positioned within a single configuration display screen (abstract). Sugiarto describes a web page editing screen 500, where "a user enters a website address in a URL portion 515, and then selects the submit button in order to access the website for use" (col. 5, lines 61-63). The user then selects various web page elements from the website to display in a display screen by storing the elements in a configuration file. The configuration file can then be accessed to retrieve and format the specified information (e.g., CNN, NASDAQ, ESPN information) for display on a handset 6 in a single display screen. (See col. 4, lines 11-34).

Thus, Sugiarto is different from the presently claimed invention. Independent claim 26 recites:

26. A method for a user to operate with channels or mobile devices, comprising the steps of:
- (1) creating a bookmark to a first Web page;
 - (2) surfing to a second Web page;
 - (3) invoking said bookmark, thereby navigating to said first Web page;
 - (4) reviewing an automatic channel form that was pre-populated with at least a URL of said second Web page, said URL having been determined via interaction with a browser; and
 - (5) submitting said automatic channel form to establish said second Web page as a channel.

Sugiarto allows a user to combine web elements to be displayed on a display screen, while the claimed invention relates to an automatic channel form that was pre-populated with at least a URL of said second Web page, where submitting the automatic

channel form establishes the second Web page as a channel. Sugiarto does not teach these features of the claimed invention. In fact, Sugiarto states "a user enters a website address in a URL portion 515," and thus at least Sugiarto does not teach or suggest an automatic channel form that was *pre-populated with at least a URL* of said second Web page, as recited in claim 26.

Because Sugiarto does not teach or suggest each and every limitation of claim 26, it cannot anticipate that claim. Thus, Applicants assert that claim 26 is patentable over Sugiarto. For at least similar reasons as presented above with respect to claim 26, and further in view of their own respective features, independent claims 9, 14 and 15 are also patentable over Sugiarto. Furthermore, claims 7 and 8, which depend from independent claim 26, and claims 12 and 13, which depend from independent claim 9, are also patentable over Sugiarto for at least the same reasons described above and further in view of their own respective features. Therefore, Applicants respectfully request that the rejection of these claims be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 103

Claims 2, 6, 10 and 11

On page 5 of the Office Action, the Examiner rejected claims 2 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Sugiarto in view of U.S. Patent No. 5,835,712 to DuFresne (hereinafter DuFresne). On page 6 of the Office Action, claims 6 and 11 were rejected as being unpatentable over Sugiarto in view of U.S. Patent No. 6,138,155 to Davis *et al.* (hereinafter Davis). Applicants respectfully traverse these rejections.

Claims 2 and 6 depend from independent claim 26 and claims 10 and 11 depend from independent claim 9. As described above, Sugiarto does not teach each and every feature of independent claims 26 and 9. Applicants assert that DuFresne and Davis fail to remedy the deficiencies of Sugiarto with respect to independent claims 26 and 9. Thus, claims 2, 6, 10, and 11 are also patentable over Sugiarto and DuFresne for at least the reasons provided above, and further in view of their own features. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of claims 2, 6, 10 and 11.

Furthermore, Applicants assert that Sugiarto, DuFresne and Davis, alone or in combination, do not teach or suggest all of the features of new independent claims 16 and 21. New claims 17-20, which depend from claim 16, and new claims 22-25, which depend from claim 21, are patentable over Sugiarto, DuFresne and Davis for at least the reasons for their respective independent claims, and further in view of their own features. Thus, Applicants respectfully request that these claims be passed to allowance.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey S. Weaver
Attorney for Applicants
Registration No. 45,608

Date: 2-2-05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600